a witness might testify as to what was said by one person on an occasion, although he might not be able to identify, or even see or hear the other party to the conversation provided the latter were identified aliunde as the other party. The fragmentary nature of the testimony, the possibility of a dishonest party talking into a telephone in the hearing of his witnesses without having any connection with the person to whom he was purporting to talk, and giving answers to questions that were never asked, are all circumstances that should be taken into account in determining what weight is to be attached to the evidence, but are not valid grounds for refusing to hear it at all. Such testimony is not in any way objectionable as being hearsay.

Appeal dismissed.

F. Arnoldi, K. C., and D. D. Grierson, for the plaintiffs. A. McLean Macdonell, K. C., for the defendants.—Canada Law Journal (August).

A Corporation's Liability for Malpractice.—As a corporation cannot practice medicine, so it cannot be held liable for malpractice, says the Supreme Court of Ohio in Youngstown Park and Falls Street Railway Company *v.* Kessler, 95 Northeastern Reporter, 509. Plaintiff was injured by the defendant street railroad company while acting in the capacity of a common carrier. The company promised to send medical aid, which was done. Plaintiff was not only not benefited by the medical services provided, but claimed that she was injured thereby because of improper treatment, and instituted action against the company on the ground of malpractice. The court held that, while a corporation may be held liable on its contract to furnish medical aid where it was careless or negligent in procuring a proper physician, it cannot be liable as for malpractice because of the physician's mistakes or incompetency.

Porter's Commands Make Railroad Liable.—As a train approached a switch station, the negro porter told a passenger who was to alight there to "come on," beckoning at the same time. When he reached the door the negro told him to "hurry up." When he reached the step he was urged to jump. He did. For the injuries sustained action was brought against the railroad company. The Court of Civil Appeals of Texas in Galveston, H. & S. A. Ry. Co. *v.* Krenek, 138 Southwestern Reporter, 1154, holds that the porter's conduct constituted negligence on the part of the railroad company, and sustained a judgment for $500 In Texas it is not negligence per se to alight from a moving train.

Libel.—"Give me rather the respect of my friends than a palace of gold." The reputation of the person is a matter of more concern than property rights. Property can be restored, the poor made rich,